

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11cv273**

WIOLA WILSON KLEIN,)
Plaintiff,)
v.)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
Defendant.)

MEMORANDUM
OF DECISION

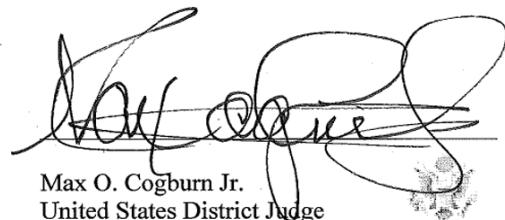
Sentence Four Remand

Defendant's Unopposed Motion for Remand and Entry of Judgment Under Sentence Four of 42 U.S.C. § 405(g) (#14) is **GRANTED**.

The Court orders that, upon remand, the ALJ evaluate further the medical evidence, specifically addressing the evidence for the period at issue that concerns the plaintiff's complaints of neck and upper extremity pain; reassess and clarify the plaintiff's residual functional capacity; and obtain supplemental vocational expert testimony.

Therefore, this Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991). The Clerk of Court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

Signed: February 2, 2012



A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr." The signature is fluid and cursive, with a stylized "M" and "O".

Max O. Cogburn Jr.
United States District Judge